

UNITED STATES BANKRUPTCY COURT

FOR THE

EASTERN DISTRICT OF VIRGINIA

Alexandria Division

In the Matter of:

JOSEPH ANTHONY SPINA

Debtor

Chapter 13

Case No. 11-15981-RGM

AMENDED OBJECTION TO CONFIRMATION OF PLAN,
NOTICE OF AMENDED OBJECTION TO CONFIRMATION OF PLAN
AND
NOTICE OF SCHEDULED HEARING ON THIS OBJECTION

Thomas P. Gorman, Chapter 13 Trustee, has filed this amended objection to confirmation of your Chapter 13 Plan filed October 19, 2011. The cause for this objection is as follows:

Violation of the feasibility provisions of 11 U.S.C. §1325(a)(6) – Plan is underfunded as set forth below:

PERFORMANCE:	Amount of Plan Payment	250.00	1053.00
	Number of Months	24	36
		6,000.00	37,908.00
	Total Receipts		43,908.00
	Disbursements Required:		
	Attorney	1000.00	
	Tax	0.00	
	Secured	0.00	
	Unsecured	26016.00	38% of 68,463.24
	Other	22144.00	38% of 58,274.94
	Trustee	4,916.00	10%
	Total Disbursement		
	Total Disbursement		54,076.00

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

Notice of Objection To Confirmation

Joseph Anthony Spina, Case # 11-15981-RGM

If you do not wish the court to grant the relief sought in the objection, or if you want the court to consider your views on the objection, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. You must mail a copy to the persons listed below.

Attend the hearing to be held on November 30, 2011 at 9:30 a.m. in Courtroom #3 on the 3rd floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, Virginia 22314. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste, 400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: November 1, 2011

/s/Thomas P. Gorman
Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

Notice of Objection To Confirmation

Joseph Anthony Spina, Case # 11-15981-RGM

CERTIFICATE OF SERVICE

I hereby certify that I have this 1st day of November, 2011, served via ECF to authorized users or mailed a true copy of the foregoing Objection to Confirmation, Notice of Objection and Notice of Hearing to the following parties.

Joseph Anthony Spina
Chapter 13 Debtor
7083 Helm Drive
Remington, VA 22734-9415

Ann M. Callaway
Attorney for Debtor
Attorney At Law
15 Garrett St.
Warrenton, VA 20186

____/s/ Thomas P. Gorman_____
Thomas P. Gorman